

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

AMERICAN SOCIETY OF COMPOSERS,  
AUTHORS AND PUBLISHERS,

Defendant.

Civil Action No. 41-1395 (WCC)

**NOTICE OF APPEAL**

In the matter of the Application of

REALNETWORKS, INC.,

Applicant,

for the Determination of Reasonable License Fees.

PLEASE TAKE NOTICE that the American Society of Composers, Authors and Publishers ("ASCAP"), the defendant in the above-captioned action, hereby appeals to the United States Court of Appeals for the Second Circuit from the judgment in this action dated January 16, 2009 (and entered on the docket, under seal, on January 20, 2009), and from all the prior orders, opinions and rulings embodied therein.

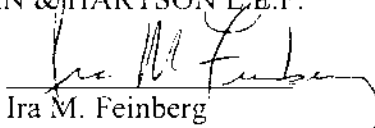
A copy of the redacted public version of the judgment, dated January 21, 2009 (and entered on the docket on January 23, 2009) is attached.

DATED: February 9, 2009  
New York, New York

Respectfully submitted,

HOGAN & HARTSON L.L.P.

By:

  
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